MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, 212 Brookside Avenue, on June 16, 1987, at 3:00 P.M.

PRESENT

Carole Beswick, Mayor Richard N. Larsen, Mayor Pro Tem Charles G. DeMirjyn, Councilmember Tim Johnson, Councilmember Barbara C. Wormser, Councilmember

John E. Holmes, City Manager Dallas Holmes, City Attorney Lorrie Poyzer, City Clerk Elaine Rankin, Redlands Daily Facts John de Leon, The Sun

ABSENT

None

The meeting was opened with an invocation by Councilmember DeMirjyn followed by the pledge of allegiance.

Minutes of the regular meeting of June 2, 1987, were approved as submitted.

Bills and salaries were ordered paid as approved by the Finance Committee.

PLANNING AND COMMUNITY DEVELOPMENT

Tentative Tract No. 11963 - Charmax Development

Councilmember DeMirjyn moved to approve the Environmental Review Committee's Negative Declaration for Tentative Tract No. 11963 for the subdivision of approximately 4.49 acres of land into six lots for property located on the south side of Park Avenue, 330 feet west of Tennessee Street, I-P Zone, and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilmember Wormser and carried unanimously.

Stating that Council finds that pursuant to Section 66473.5 of the California Government Code, Tentative Tract No. 11963 together with the provisions for its design and improvement is consistent with the City's General Plan and any applicable specific plans; that none of the conditions provided in California Government Code Section 66474 exist on this map; and that pursuant to California Government Code Section 66474.6, the discharge of waste from this subdivision apparently will not result in

violation of existing requirements prescribed by the Santa Ana Regional Water Quality Control Board pursuant to Division 7 of the California Water Code, Councilmember Wormser moved to approve Tentative Tract No. 11963 based on the findings of the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated May 26, 1987. Motion seconded by Councilmember DeMirjyn and carried unanimously.

Phase II - 1987 Residential Development Allocations

The Planning Commission met on May 29, 1987, and awarded points in their assigned categories of evaluation under Ordinance No. 1843 which implements Proposition R. The Commission also reviewed draft evaluation criteria and recommended that more extensive landscape and architectural design guidelines illustrative diagrams be developed before further consideration of amending Ordinance No. 1843 to improve the evaluation process.

Following discussion, on motion of Councilmember Larsen, seconded by Councilmember Wormser, Council awarded the following Residential Development Allocations:

RDA 87-II-4 RDA 87-II-3 RDA 87-II-6 RDA 87-II-1 RDA 87-II-5 RDA 87-II-2	Brookshire Heaverin USA Properties Day Enterprises James M. Kormos Pulsar Development, Dr. Patrick Kung	35 35)
	Total	110)

Mr. Kormos complained about the procedure process and questioned the points he received in the drainage, consistency with zone, and fire categories. Councilmembers reminded him this process is a competition and that the City has not changed the point allocation procedure and that he has been through the cycle before.

Noting we are in the midst of an initiative petition which will directly affect processing of future residential development allocations, Councilmember Johnson directed the City Manager to report back to Council at the first meeting in July and prepare the initiative ordinance petition received from The Redlands Association Political Action Committee for first reading and adoption without alteration. Motion seconded by Councilmember Larsen. City Clerk Poyzer explained that she was in the process of examining the petition and verifying signatures, and if it was declared sufficient, the petition would be presented to Council at the July 7, 1987 meeting. At that time, under authority of the California Elections Code, Council would be required to either introduce the ordinance without alteration and adopt it within 10 days; or order an election for the initiative ordinance. City Attorney Holmes noted that Council would probably want his office to review the initiative ordinance with respect to land use law. This was agreeable to members of the Council and the motion carried unanimously.

Consultant Contract - A. K. Smiley Public Library Expansion

Requests for proposals were solicited from a number of architectural firms: Milford Wayne Donaldson, San Diego; Archiplan, Martin Eli Weil, Los Angeles; Day and Armantrout, Redlands; and Architectural Resources Group, Bruce Judd, San Francisco. The Library Expansion Committee reviewed the proposals and interviewed representatives from the four firms. Their results were forwarded to the Library Board of Trustees at their meeting of June 9, 1987, and the Board concurred with the recommendations of the Expansion Committee to award the contract to Architectural Resources Group of San Francisco in the amount of \$251,300.00 for the design of the expansion of the A. K. Smiley Public Library. On motion of Councilmember Larsen, seconded by Councilmember Wormser, this recommendation was unanimously approved.

Minor Subdivision No. 165 - Aural Products, Inc. - Final Approval

All requirements as contained in Council minutes dated December 2, 1986, having been complied with, it is the recommendation of the Department of Community Development that final approval be granted Minor Subdivision No. 165, a subdivision of approximately 2.08 acres of land located on the east side of Carob Street, approximately 220 feet south of Pacific Street. On motion of Councilmember DeMirjyn, seconded by Councilmember Larsen, this recommendation was unanimously approved.

Resolution No. 4262 - Annexation No. 64 - City of Redlands

On motion of Councilmember DeMirjyn, seconded by Councilmember Larsen, Council unanimously approved Resolution No. 4262, a resolution of the City Council of the City of Redlands declaring its intention to initiate on its own motion proceedings to annex certain uninhabited territory, Annexation No. 64, including two parcels of land which make up 9.67 acres located at the southwest corner of Barton Road and Terracina Boulevard.

Initiative Growth Control Ordinance Tentative Tract No. 10083 - Hill Williams Development Corporation - Time Extension

On motion of Councilmember DeMirjyn, seconded by Councilmember Larsen, a time extension of one year was unanimously granted for Tentative Tract No. 10083 to July 16, 1988, to allow the applicant time for sufficient opportunity to complete the improvement plans and to obtain bonding.

COMMUNICATIONS

Prospect Park Gates Stephen P. Stockton reviewed his letter dated June 1, 1987, to Council regarding the installation of gates in Prospect Park. Mr. Stockton reported that the public has had use of the private road for many years and cited the rule of implied dedication. He requested the gates be removed so that the public can enjoy the area. Council referred this matter to staff and the City Attorney and requested that the matter be examined beyond the legal points as the owners also have rights.

Proposed Budget City Manager Holmes reported that staff is working deligently on the proposed 1987-88 budget, setting up new systems and incorporating Council's suggestions received from the retreat session held early in the calendar year. Mr. Holmes suggested adjourning this meeting to another date to review the proposed budget. Councilmembers agreed to meet on Tuesday, June 30, 1987, at 6:00 P.M. in the Council Chambers for this purpose.

Management Services Director Kaenel briefly explained the difference between Certificates of Participation and bond issues.

Council recessed at 4:04 P.M. to a Redevelopment Agency meeting and reconvened at 4:05 P.M. to a closed session for the purpose of discussing personnel matters, matters covered by attorney/client privilege, and pending litigation. In accordance with State law, the City Attorney prepared a confidential memo to Council providing justification for the pending litigation portion of the closed session. Council reconvened at 7:00 P.M.

Proclamation

Mayor Beswick presented Frank Guerrero, Recreation Superintendent, a proclamation designating the month of July as Parks and Recreation Month.

ORAL PETITIONS FROM THE FLOOR

Late Appeal

Representing Nansay America, Inc., Mr. Frank Ake requested Council waive the filing period for an appeal to a Planning Commission decision to deny his request for a sign variance. Although a representative was present at the Planning Commission meeting at which time the decision was rendered, Mr. Ake stated he had received the notice belatedly and was therefore unable to file an appeal within the time frame. City Attorney Holmes informed Council accepting a late appeal would require an ordinance amendment. Council felt Nansay America had sufficient time to file an appeal since the representative at the Planning Commission meeting would have known what the results were and the applicant could have responded prior to receiving the courtesy notice from the Planning Department.

PUBLIC HEARINGS

Resolution No. 4251

Historic District No. 1 Public hearing was continued to this time to consider Resolution No. 4251 designating Historic and Scenic District No. 1 which includes all property on the north and south sides of West Highland Avenue between Cajon Street and Cedar Avenue. As a resident and homeowner in this area, Councilmember Wormser removed herself from the dias and did not participate in the discussion. Mayor Beswick declared the meeting open as a public hearing.

Preservation Officer Cozen reported that Highland Avenue was one of the City's first streets of prestigious residential addresses and is still a neighborhood of clearly beautiful homes in an architectural sense. Speaking in favor of establishing this district were residents Donald R. Shasky, James R. Dunn, and Karen Brandstater. Appreciation was expressed for the hours of work done by Preservation Officer Cozen and Commission Chairman Larry Munz.

There being no further comments, the public hearing was declared closed, and Resolution No. 4251, a resolution of the City Council of the City of Redlands designating Historic and Scenic District No. 1 on West Highland Avenue, was adopted by the following vote:

AYES: Councilmembers Larsen, DeMirjyn, Johnson;

AYES: Councilmembers I Mayor Beswick

NOES: None

ABSENT: None

ABSTAIN: Councilmember Wormser

Ordinance No. 1986, establishing the R-L Five-Acre Zone, was inadvertently scheduled on this agenda. Public hearing was scheduled for July 7, 1987; therefore no action was taken at this meeting.

Ordinance No. 1984

Advisory Committee Public hearing

was advertised for this time to consider Ordinance No. 1984, an ordinance of the City Council of the City of Redlands amending Article 926 of the Redlands Ordinance Code relating to the Advisory Committee as recommended by the Redlands Planning Commission. Mayor Beswick declared the meeting open as a public hearing. There being no comments forthcoming, the public hearing was declared closed.

Councilmember Johnson suggested including in Section Two, Paragraph (g): properties with recorded, active agricultural preserve contracts on which no notice of non-renewal has been filed. This was agreeable to the Council.

Councilmember DeMirjyn moved to approve the Environmental Review Committee's Negative Declaration for this amendment and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilmember Larsen and carried unanimously. Ordinance No. 1984 was read by title only by City Clerk Poyzer, and on motion of Councilmember DeMirjyn, seconded by Councilmember Larsen, further reading of the ordinance text was unanimously waived. Ordinance No. 1984 was introduced as amended and laid over under the rules with second reading scheduled for July 7, 1987, on motion of Councilmember DeMirjyn, seconded by Councilmember Wormser.

Resolution No. 4254

Streets and Alleys Vacation

Specific Plan No. 38 Public hearing was advertised for this time and place for the vacation of High Street and Stuart Street between Orange Street and Sixth Street and Fifth Street between High Street and the A.T.S.F. Railroad right-of-way and alleys. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this street vacation. None being forthcoming, the public hearing was declared closed, and Resolution No. 4254, a resolution of the City Council ordering the vacations of the above-mentioned streets and alleys, was unanimously adopted on motion of Councilmember DeMirjyn, seconded by Councilmember Wormser.

The Environmental Review Committee considered the revised Specific Plan No. 38 on May 4, 1987. After several hours of testimony from residents, the Environmental Review Committee determined that an Environmental Impact Report be required with emphasis placed on additional data of traffic, noise and growth inducing impacts. On May 8, 1987, an appeal was filed by the applicants noting that the issues identified require review of an area larger than the subject specific plan and the issues require Alternative Land Use elevations. After the appeal was filed, the applicants met with Planning staff and discussed these issues. After considering the scope of the project, existing development, the CSA 110 Study area, and the northeast study, staff found the boundaries could be reduced and the EIR would be more specifically in tune with the issues identified by the ERC. Staff recommends the revised boundary area to be south of Pioneer Avenue, north of Lugonia Avenue, east of Freeway 30, and west of Orange Street. Mayor Beswick declared the meeting open as a public hearing.

Robert Dilger submitted a letter on behalf of the Orange Park Homeowners' Association dated June 10, 1987, which was included in the Council's packet prior to the meeting. He presented a few more items at this meeting. Gordon Campbell displayed overhead photographs of the area stating this is a residential/agricultural transition and pointed out items he felt were in error. Speaking on behalf of the applicants was Hardy Strozier. There being no further comments, the public hearing was declared closed. Following discussion, Councilmember Wormser moved to deny the appeal and define the boundary area of the Environmental Impact Report for Specific Plan No. 38 as south of Pioneer Avenue, north of Lugonia Avenue, east of Freeway 30, and west of Orange Street. Motion seconded by Councilmember Larsen and carried unanimously.

Councilmember DeMirjyn reminded Councilmembers of the letter he had forwarded to them regarding a traffic model for the whole city which would be so handy to have as a tool for studies like this.

Appeal

Zone Change No. 311 Zone Change No. 311, an application for a change of zone for approximately 7.13 acres of land from A-1 (Agricultural) District to R-2 (Multiple Family Residential) District for property located on the south side of Orange Avenue, approximately 400 feet east of Alabama Street, was denied by the Planning Commission at their meeting held on May 26, 1987. The Commission found that there is no proven need at this time for more of the uses permitted in the R-2 Zone and that the zone change would adversely affect the surrounding area or the community in general. An appeal was filed in the City Clerk's Office on May 29, 1987. Speaking in favor of this zone change were: Judy Miller, Felix D'Amico, Gertrude Voss, Cathy Kazebee, Gary Werner, and David G. Voss. Noting that this parcel of land has single-family homes to the west and north, and apartments to the east and south; that this change of zone seems to be advantageous to the general public; and that no significant, long-range adverse effects to the surrounding area were identified, Councilmember Johnson moved to direct staff to prepare an ordinance for introduction and public hearing for the July 7, 1987, meeting. Motion seconded by Councilmember Wormser and carried unanimously.

JOINT PUBLIC HEARING

Disposition and Development Agreement

B-ZEnterprises

City Clerk Poyzer reported that notice has been duly given that the City Council and the Redevelopment Agency of the City of Redlands have authorized a Joint Public Hearing to consider for the purposes of redevelopment as a commercial development the disposition of certain real property commonly known as 325 and 401 East Stuart Avenue in the City of Redlands for B-Z Enterprises, and that notice of this hearing was first published in the Redlands Daily Facts on June 2, and June 9, 1987. Mayor Beswick announced this was the time and place set for the Joint Public Hearing and that all persons who wish to speak for or against the proposed acquisition and sale would have an opportunity to speak. Mayor Beswick declared the meeting open as a joint public hearing. Redevelopment Director Quaschnick summarized the disposition and development agreement and proposed acquisition and sale of this property, and reported that the Redevelopment Advisory Commission recommended approval of the DDA with the additional clarification that it was understood that the five-year forebearance provisions for undergrounding of off-site utilities would be applicable to the Developer only and not to run with the land. Mr. Dick Burkhart and Mr. Gene Zdunowski, B-Z Enterprises, were present and willing to answer any questions. There being no further comments or questions, the joint public hearing was closed.

On motion of Councilmember Larsen, seconded by Councilmember DeMirjyn, the City Council unanimously authorized the sale of real property by the Redevelopment Agency for purposes of redeveloping real property as a commercial building and related improvements.

UNFINISHED BUSINESS

Ordinance No. 1985

Outside Service Connections Ordinance No. 1985, an ordinance of the City of Redlands adding Articles 595 and 835 to the Redlands Ordinance Code establishing procedures for application and approval of water and sewer service connections for commercial/industrial developments in the unincorporated area within the City of Redlands' sphere of influence, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember DeMirjyn, seconded by Councilmember Johnson, further reading of the ordinance text was unanimously waived. Ordinance No. 1985 was adopted on motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, by the following vote:

AYES:

Councilmembers Larsen, DeMirjyn, Johnson, Wormser; Mayor Beswick

NOES: ABSENT: None None

Ordinance No. 1981

Annexation Zoning

Ordinance No. 1981, an ordinance amending Zoning Ordinance No. 1000 of the City of Redlands by adopting Amendment No. 185 pertaining to zoning annexed areas was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Larsen, seconded by Councilmember Wormser, further reading of the ordinance text was unanimously waived. Ordinance No. 1981 was adopted on motion of Councilmember Larsen, seconded by Councilmember DeMirjyn, by the following vote:

Councilmembers Larsen, DeMirjyn, Johnson, Wormser; AYES:

Mayor Beswick

NOES:

None ABSENT: None

Ordinance No. 1991

Mobilehome Rent

At the last Council meeting, the City Council considered a request by mobilehome park owners in the City to amend the City's rent stabilization ordinance to permit an increase in rents upon the sale or lease of a mobilehome resulting in a new tenancy. Following careful discussion of the issue, the City Council instructed staff to prepare a draft ordinance that would permit a park owner to increase the rental by up to ten percent upon a change in the tenancy of a park space. The draft ordinance further provides that such increases may not occur more often than once each year and calls for a review in twelve months to consider whether the new policy has had a chilling effect on the sale of mobilehomes within these parks.

Noting it might be construed he had a conflict of interest, Councilmember Johnson left the dias and did not participate in this discussion.

Speaking in opposition of this ordinance were: Marvin H. Lang, Lewis Frey, Rachel Biddick, and R. J. Whited. Speaking in favor were R. C. Bessire and Clay Hage from Western Mobilehome Association.

Following discussion, Ordinance No. 1991, an ordinance of the City Council of the City of Redlands amending Section 37411 of the Redlands Ordinance Code relating to the Mobilehome Rent Stabilization Ordinance, was read by title only by City Clerk Poyzer, and on motion of Councilmember Larsen, seconded by Councilmember DeMirjyn, further reading of the ordinance text was unanimously waived. Ordinance No. 1991 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for July 7, 1987, on motion of Councilmember Larsen, seconded by Councilmember Wormser, by the following vote:

AYES: Councilmembers Larsen, DeMirjyn, Wormser;

Mayor Beswick None

NOES:

Councilmember Johnson ABSTAIN:

Following a brief recess from 8:45 P.M. to 8:50 P.M., Mr. Lang apologized for the comments made by Mr. Whited, noting he had not spoken on behalf of the majority of people present in the audience.

NEW BUSINESS

Appointments

Recreation Commission Councilmember Larsen moved to reappoint Rosa Rodriguez, Joan Silver, and Wilson Costello to three-year terms on the Recreation Advisory Commission commencing June 30, 1987. Motion seconded by Councilmember Wormser and carried unanimously. Councilmember Larsen moved to appoint Michael C. Jensen to complete a term on the Recreation Advisory Commission which will expire June 30, 1989. Motion seconded by Councilmember Wormser and carried unanimously. A student representative will be appointed after the Recreation Advisory Commission has met and forwards a recommendation to the City Council.

Appointment Airport Advisory Board

Councilmember Larsen moved to reappoint Harold Hartwick to a four-year term on the Airport Advisory Board commencing July 1, 1987. Motion seconded by Councilmember Wormser and carried unanimously.

Resolutions Nos. 4259 4260

Landscape

District No. 1

Council member DeMirjyn moved to adopt Resolution No. 4259, a resolution of the City Council of the City of Redlands giving preliminary approval of the Engineer's Report for the formation of Landscape Maintenance District No. 1 involving the Wabash Avenue frontage of Tract No. 13282, the San Bernardino Avenue frontage of Tract No. 13434, and the Allesandro Road frontage of Tract No. 13496. Motion seconded by Councilmember Johnson and carried unanimously. Councilmember DeMirjyn moved to adopt Resolution No. 4260, a resolution of the City Council of the City of Redlands, declaring its intention to order the formation of Landscape Maintenance District No. 1, an assessment district; declaring the work to be of more than local or ordinary public benefit; specifying the exterior boundary of the area to be formed and to be assessed the cost and expense thereof; determining that these proceedings shall be taken pursuant to the Landscaping and Lighting Act of 1972; and setting July 7, 1987, at 7:00 P.M. as the time and place for a public hearing. Motion seconded by Councilmember Johnson and carried unanimously.

Ordinance No. 1988

Fees and Service Charges

Resolution No. 4263

Ordinance No. 1990

General Obligation Bonds

Resolution No. 4258

KCET TV

Funds Salaries

Bid Award

Manhole Covers Ordinance No. 1988, an ordinance of the City of Redlands amending Article 144 of the Redlands Ordinance Code relating to fee and services charges for equipment use, litter control, banners, and street trees, was read by title only by City Clerk Poyzer, and on motion of Councilmember Larsen, seconded by Councilmember Wormser, further reading of the ordinance text was unanimously waived. Ordinance No. 1988 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for July 7, 1987 on motion of Councilmember Larsen, seconded by Councilmember Wormser.

Resolution No. 4263, a resolution of the City of Redlands determining that the public interest and necessity demand the acquisition of property and property rights and making findings relating thereto in connection with a General Obligation Bond issue question to be placed on the November, 1987, ballot, was unanimously adopted on motion of Councilmember Wormser, seconded by Councilmember Larsen. Ordinance No. 1990, an ordinance of the City of Redlands ordering, calling, providing for and giving notice of a General Muncipal Election to be held in said City on November 3, 1987, for the purpose of submitting to the qualified voters of said City a proposition to incur bonded indebtedness by said City for certain municipal improvements, was read by title only by City Clerk Poyzer, and on motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, further reading of the ordinance text was unanimously waived. Ordinance No. 1990 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for July 7, 1987, on motion of Councilmember DeMirjyn, seconded by Councilmember Wormser.

Resolution No. 4258, a resolution of the City of Redlands expressing its strongest recommendation to the Cable Owners and Operators in Los Angeles and Southern California to retain KCET in the area of most favorable access to the public, in close proximity to the major and independent stations operating in the VHF band, was unanimously adopted on motion of Councilmember DeMirjyn, seconded by Councilmember Larsen.

On motion of Councilmember DeMirjyn, seconded by Councilmember Larsen, Council unanimously approved additional salary appropriations totalling \$461,900 in the General Fund, \$45,000 in the Disposal Fund, \$78,000 in the Sewer Fund, and \$25,000 for the Redevelopment Agency to cover the cost of retroactive salary increases and the Madera Decision on police overtime.

Bids were opened and publicly declared at 3:00 P.M. on June 11, 1987, by the City Clerk for the contract for raising sewer manhole covers and replacing water valve cans to grade; a bid opening report is on file in the Office of the City Clerk. At this time, it is the recommendation of the Municipal Utilities Department that the responsible bidder submitting the bid for said project which will result in the lowest cost to the City is Bonadiman-McCain, Inc. in the amount of \$190,000.00 and that it is in the best interest of the City that the contract for raising sewer manhole covers and replacing water valve cans to grade be awarded to said firm. On motion of Councilmember DeMirjyn, seconded by Councilmember Larsen, this recommendation was unanimously approved.

Claim

On motion of Councilmember DeMirjyn, seconded by Councilmember Larsen, the claim of Jerry Frye in the amount of \$26,000.00 was found not to be a proper charge against the City and therefore unanimously rejected.

Claim

On motion of Councilmember DeMirjyn, seconded by Councilmember Larsen, the claim of Irene Adamo in an unknown amount was found not to be a proper charge against the City and therefore unanimously rejected.

Claim

On motion of Councilmember DeMirjyn, seconded by Councilmember Larsen, the claim of John Kuntz in the amount of \$85.00 was found not to be a proper charge against the City and therefore unanimously rejected.

B Contract Water Agreement On motion of Councilmember DeMirjyn, seconded by Councilmember Larsen, Council unanimously approved that the B Contract dated October 29, 1986, between the City of Redlands and Bradley R. Scott.

Parking Structure Council unanimously authorized prepayment of rent in the amount of \$697,455.53 for the parking structure located on Redlands Boulevard between Fifth and Sixth Streets being financed by Certificates of Participation issued July 15, 1986, in an amount sufficient to carry the project through October 31, 1988, on motion of Councilmember DeMirjyn, seconded by Councilmember Larsen.

Easement

Council unanimously granted an easement to Southern California Edison Company for the underground electrical supply system at the Horace Hinckley Water Treatment Plant property on motion of Councilmember DeMirjyn, seconded by Councilmember Larsen.

There being no further business, the meeting adjourned at 9:15 P.M. to an adjourned regular meeting, to be held on Tuesday, June 30, 1987, at 6:00 P.M. in the Council Chambers.

Next regular meeting, July 7, 1987.

ATTEST:

Mayor of the City of Redlands

City Clerk, biti

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